

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): GEWIRTZ, Alan M. EXAMINER: Not Yet Known
SERIAL NO.: 10/593,578 GROUP ART UNIT: Not Yet Known
FILED: September 20, 2006 ATTORNEY DOCKET No.: P-7782-US
FOR: METHODS OF USE OF BCL-6-DERIVED NUCLEOTIDES TO INDUCE
APOPTOSIS

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b), mailed May 21, 2007 (a copy of which is enclosed), Applicant(s) submit herewith the following:

1. ☒ an executed Declaration and Power of Attorney making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63;
2. ☒ Applicant(s) Claim Small Entity Status; and
3. ☒ a paper copy of the "Substitute Sequence Listing" in compliance with 37 C.F.R. 1.821-1.825;
4. ☒ a computer readable form (CRF) copy of the "Substitute Sequence Listing" in compliance with 37 C.F.R. 1.821-1.825 and
5. ☒ a statement that the information recorded in computer readable form is identical to the written sequence listing, the "Substitute Sequence Listing" contains only information included in the disclosure of the application as filed, and support for the amendment to the Sequence Listing in the application as filed..

A response is due July 22, 2007. Accordingly, this response is being timely filed.

The Patent Office is hereby authorized to charge Deposit Account 50-3355 in the amount of \$2465, covering the following:

APPLICANTS: GEWIRTZ, Alan M.
 SERIAL NO: 10/593,578
 FILED: September 20, 2006
 Page 2

FEE CALCULATION					
1. BASIC FILING FEE					
	Filing Date BEFORE December 8, 2004		Filing Date ON/AFTER December 8, 2004		
	Large Entity Fee	Small Entity Fee	Large Entity Fee	Small Entity Fee	
Utility	\$790	\$395	\$1000	\$500	\$500
Provisional	\$160	\$80	\$200	\$100	0
Application Size Fee (over 100 pages, per 50)			\$250	\$125	0

2. EXTRA CLAIM FEES					
Total Claims	56	-20 =	36	x \$25	= 900
Independent Claims	13	-3 =	10	x \$100	= 1000
Multiple Dependent			0	x \$180	= 0
Large Entity Fee	\$50	Small Entity Fee	\$25	Fee Description	
	\$200		\$100	Claims in excess of 20	
	\$380		\$180	Independent claims in excess of 3	
				Multiple dependent claim, if not paid	

3. Fee for Petition for Extension of Time					
Large Entity Fee	Small Entity Fee				
\$120	\$60	Extension for reply within first Month			0
\$450	\$225	Extension for reply within second Month			0
\$1,020	\$510	Extension for reply within third Month			0
\$1,590	\$795	Extension for reply within fourth Month			0

4. Surcharge Fee Under 37 CFR 1.16(f) or 1.492(h)					
Large Entity Fee	Small Entity Fee				
Utility	\$130	\$65			\$65

5. Surcharge Fee Under 37 CFR 1.16(l)					
Large Entity Fee	Small Entity Fee				
Provisional	\$50	\$25			0

TOTAL (all columns)					2465
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If any additional fee is required, the undersigned hereby authorizes the Patent Office to charge such additional fee to Deposit Account 50-3355.

06/06/2007 MIKAYPAGH 00000096 503355 10593578
 01 FC:2617 65.00 DA

Respectfully submitted,

Mark S. Cohen
 Attorney/Agent for Applicant(s)
 Registration No. 42,425

Dated: June 4, 2007


Pearl Cohen Zedek Latzer LLP.
 1500 Broadway, 12th Floor
 New York, New York 10036
 Tel: (646) 878-0800
 Fax: (646) 878-0801

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

I hereby certify that the computer readable form containing the nucleic acid and/or amino acid sequences as required by 37 C.F.R. §1.821(f), which is forwarded herewith and Sequence Listing which is forwarded herewith are the same and in compliance with the requirements of §1.821 through §1.825, and include no new matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States code and any such willful false statements and the like may jeopardize the validity of the application or any patent issued thereon.


Stephen Bukstein

June 4, 2007

To: JBU

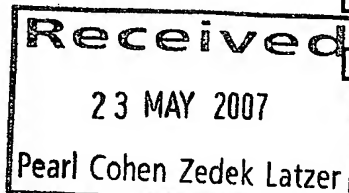


UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/593,578	Alan M. Gewirtz	P-7782-US

49443
PEARL COHEN ZEDEK LATZER, LLP
1500 BROADWAY 12TH FLOOR
NEW YORK, NY 10036



INTERNATIONAL APPLICATION NO.	
PCT/US05/09349	
I.A. FILING DATE	PRIORITY DATE
03/22/2005	03/22/2004

CONFIRMATION NO. 1461
371 FORMALITIES LETTER



OC000000023954792

Date Mailed: 05/21/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/20/2006
- Copy of the International Search Report filed on 09/20/2006
- Preliminary Amendments filed on 09/20/2006
- U.S. Basic National Fees filed on 09/20/2006
- Priority Documents filed on 09/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

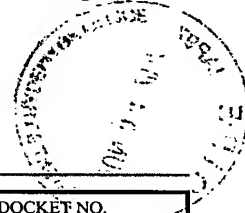
For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY



U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/593,578	PCT/US05/09349	P-7782-US

FORM PCT/DO/EO/905 (371 Formalities Notice)